

## **EXHIBIT A**

**EXHIBIT A – MEC’s Terms and Supporting Evidence**

No.	Term	Asserted Claims	MEC’S Position and Supporting Evidence <sup>1</sup>
1	A method for conducting a transaction between a merchant and a customer, the customer using a mobile device, the method comprising:	'236 Patent, Claim 1	<p>Plain and ordinary meaning. No construction necessary. Not limiting.</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>'236 Patent, claim 1</p>
2	merchant identifier	'236 Patent, Claim 1	<p>Plain and ordinary meaning. No construction necessary.</p> <p>Alternatively, an identifier provided by a merchant that includes information sufficient to identify a terminal</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>Provisional Application, at §§ 1, 2, 3, 4.</p> <p>'236 Patent, claims 1, 2, 3, 4, Abstract, Figs. 2, 5, 2:10–17, 2:32–3:3, 3:4–12, 5:55–6:21, 6:56–7:16, 7:54–8:8, 9:17–19, 10:21–41, 12:62–13:13, 14:1–16, 16:62–17:6, 20:51–61.</p> <p>Application No. 12/906,989, August 8, 2013 Response to Office Action, at 7–13 (MEC-WM-00000048–54).</p> <p>Application No. 12/906,989, March 26, 2013 Office Action, at 3–8 (MEC-WM-00000060–65).</p>

<sup>1</sup> MEC has cited the '236 Patent written description across terms for both the '236 and '058 Patents for simplicity. MEC also reserves its rights to modify these proposed constructions and supporting evidence based on Walmart’s disclosures as well as rely on Walmart’s identified evidence. Based on Walmart’s agreeing to a plain-and-ordinary meaning and no construction for the terms “mobile device,” “terminal,” and “terminal identifier,” MEC has withdrawn those terms, as it also proposed the plain-and-ordinary meaning of those terms.

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			<p>Application No. 12/906,989, January 22, 2013 Response to Office Action, at 8–12 (MEC-WM-00000080–84).</p> <p>Application No. 12/906989, December 23, 2010 PCT Written Opinion of the International Searching Authority, at § 2 (MEC-WM-00000113–114).</p> <p>Application No. 14/082,425, April 6, 2018 Response to Office Action, at 7 (MEC-WM-00000310).</p> <p>Application No. 14/082,425, August 28, 2017 Appeal Brief, at 6–15 (MEC-WM-00000348–357).</p> <p>Application No. 14/082,425, September 12, 2016 Response to Office Action, at 8–15 (MEC-WM-00000401–408).</p> <p>U.S. Pub. No. US 2007/0255652, at Abstract, Fig. 3, ¶¶ 0021, 0286, 0321, 0322, 0328, 0342, 0613, 0616, 0659, 0665, 0666, (cited at ’236 Patent, at (56), ’058 Patent, at (56)).</p> <p><b><u>Extrinsic Evidence</u></b></p> <p><i>DFS – Product: Engineering Manual</i>, Confluence_Engineering_Manual.zip, WMT-MEC00126_0000001 - WMT-MEC00126_0000031</p>
3	an appropriate financial institutions associated with the purchase account and the deposit account	’236 Patent, Claim 10	<p>Not indefinite. Plain and ordinary meaning. No construction necessary.</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>Provisional Application, at §§ 3, 4.</p>

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			<p>’236 Patent, Abstract, claims 10, 11, 1:18–34, 2:32–3:3, 7:5–53, 9:3-19.</p> <p>Application No. 12/906989, March 26, 2013 Office Action, at 6 (MEC-WM-00000063).</p> <p>Application No. 12/906989, July 23, 2012 Office Action, at 6 (MEC-WM-00000096).</p> <p>U.S. Pub. No. US 2007/0255652, at ¶¶ 0008, 0011 (cited at ’236 Patent, at (56), ’058 Patent, at (56)).</p> <p><b><u>Extrinsic Evidence</u></b></p> <p><i>DFS – Product: Architecture Designs, Confluence_Architecture_Designs.zip, WMT-MEC00126_0000001 – WMT-MEC00126_0000031</i></p> <p><i>PG Payments : Low Level Design &amp; Spike Findings, Confluence_FDCGC.zip, WMT-MEC00126_0000001 – WMT-MEC00126_0000031</i></p>
4	mobile enablement center	’236 Patent, Claim 11	<p>Not indefinite and not subject to § 112(6).</p> <p>a platform to route outgoing messages from a mobile device to an appropriate payment processing server</p> <p><b><u>Intrinsic Evidence</u></b></p>

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			’236 Patent, claim 11, Fig. 1, 3:4–28, 5:44–50, 6:22–7:42, 7:54–63, 8:44–9:19, 9:3–19, 10:10–20, 12:50–13:12, 13:33–42, 18:46–19:8, 19:44–57.
5	appropriate payment processing server associated with a financial institution	’236 Patent, Claim 11	<p>Not indefinite. Plain and ordinary meaning. No construction necessary.</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>Provisional Application, at §§ 3, 4.</p> <p>’236 Patent, Abstract, claims 10, 11, 1:18–34, 2:32–3:3, 7:5–53, 9:3–19.</p> <p>Application No. 12/906989, March 26, 2013 Office Action, at 6 (MEC-WM-00000063).</p> <p>Application No. 12/906989, July 23, 2012 Office Action, at 6 (MEC-WM-00000096).</p> <p>U.S. Pub. No. US 2007/0255652, at ¶¶ 0008, 0011 (cited at ’236 Patent, at (56), ’058 Patent, at (56)).</p> <p><b><u>Extrinsic Evidence</u></b></p> <p><i>DFS – Product: Architecture Designs</i>, Confluence_Architecture_Designs.zip, WMT-MEC00126_0000001 - WMT-MEC00126_0000031</p> <p><i>PG Payments : Low Level Design &amp; Spike Findings</i>, Confluence_FDCGC.zip, WMT-MEC00126_0000001 - WMT-MEC00126_0000031</p>

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6	service data point	'236 Patent, Claim 12	<p>Not indefinite and not subject to § 112(6).</p> <p>a computer that stores customer information</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>Provisional Application, at § 3.</p> <p>'236 Patent, claims 12, 13, 3:4–28, 6:22–42, 12:50–13:67, 14:65–15:31, 17:7–19:8, 19:44–20:61.</p> <p>Application No. 12/906989, March 26, 2013 Office Action, at 6 (MEC-WM-00000063).</p> <p>Application No. 12/906989, July 23, 2012 Office Action, at 6 (MEC-WM-00000096).</p> <p>U.S. Pub. No. US 2007/0255652, at ¶ 0339 (cited at '236 Patent, at (56), '058 Patent, at (56)).</p>
7	A method for conducting a transaction between a terminal and a customer by a payment processing server, the customer using a mobile device, the method comprising:	'058 Patent, Claim 1	<p>Plain and ordinary meaning. No construction necessary. Not limiting.</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>'058 Patent, claim 1.</p>
8	payment processing server	'058 Patent, Claim 1	<p>Plain and ordinary meaning. No construction necessary.</p> <p>Alternatively, software running on one or more computing devices connected to a network that is involved with processing payment.</p>

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			<p><b><u>Intrinsic Evidence</u></b></p> <p>Provisional Application, at §§ 1, 2, 3, 4.</p> <p>’236 Patent, claim 11, Abstract, Figs. 1, 2, 3, 4, 5, 6, 7, 10, 2:33–3:36, 5:51–63, 6:67–10:41, 12:50–15:21, 15:55–17:6, 17:55–19:8, 19:44–57.</p> <p>’058 Patent, claim 1.</p> <p>Application No. 12/906989, August 8, 2013 Response to Office Action, at 12 (MEC-WM-00000053).</p> <p>Application No. 12/906989, December 23, 2010 PCT Written Opinion of the International Searching Authority, at § 2 (MEC-WM-00000113–114).</p> <p>Application No. 14/082,425, August 28, 2017 Appeal Brief, at 12 (MEC-WM-00000354).</p> <p>Application No. 14/082,425, December 7, 2015 Appeal Brief, at 13–15 (MEC-WM-00000446–448).</p> <p>Application No. 14/082,425, December 23, 2014 Amendment and Response to Office Action, at 7–11 (MEC-WM-00000501–505).</p> <p>U.S. Pub. No. US 2007/0255652, at Figs. 3, 35, 36, 37, 39, 46, 55, 88, ¶¶ 0028, 0031, 0131, 0133, 0136, 0137, 0142, 0160, 0190–0194, 0196, 0197–0201, 0204–0211, 0332, 0421, 0436, 0442–0449, 0450, 0454, 0469, 0518–0521, 0525–0526, 0537, 0549,</p>

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			0550, 0559, 0598–0600, 0604–0610, 0685, 0774, 0845, 1124 (cited at ’236 Patent, at (56), ’058 Patent, at (56)).
9	a plurality of sub-accounts associated with a parent account	’058 Patent, Claim 6	<p>Plain and ordinary meaning. No construction necessary.</p> <p><b><u>Intrinsic Evidence</u></b></p> <p>Provisional Application, at §§ 1, 3, 4.</p> <p>’236 Patent, at Figs. 8, 9, Abstract, 1:18-24; 1:38-47, 1:59-65, 2:50-58, 3:4-6, 8:52-62, 9:3-19, 9:33-36, 9:51-62, 14:40-50, 16:1-22, 16:28-33, 17:7–18:45; 18:54-19:1.</p> <p>’058 Patent, claims 1, 3, 4, 5, 6, 7, 8.</p> <p>Application No. 12/906989, December 23, 2010 PCT Written Opinion of the International Searching Authority, at § 2 (MEC-WM-00000113–114).</p> <p><b><u>Extrinsic Evidence</u></b></p> <p><i>DFS</i> – <i>Product: Architecture Designs,</i>  <i>Confluence_Architecture_Designs.zip,</i> <i>WMT-</i>  <i>MEC00126_0000001 - WMT-MEC00126_0000031.</i></p> <p><i>PG Payments : Low Level Design &amp; Spike Findings,</i>  <i>Confluence_FDCGC.zip, WMT-MEC00126_0000001 - WMT-</i>  <i>MEC00126_0000031.</i></p>